

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 17 1962
 Returned to applicant for correction DEC 5 1962
 Corrected application filed JAN 18 1963 Map filed JAN 18 1963

The applicant.s Daniel and Carolyn Kennedy
 of Lamoille, County of Elko
 State of Nevada, hereby makes application for permission to change the
 the place of use of a portion of
 of water heretofore appropriated under Application No. 1771, Certificate No. 2255

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Rabbit Creek
(Name of stream, lake or other source.)
2. The amount of water to be changed 0.1471 c.f.s., direct diversion and 147.33 acre-
 feet annually from storage
(Second feet, acre feet.)
3. The water to be used for Irrigation
(If for stock state number and kind of animals.)
4. The water heretofore used for Irrigation
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point same as existing

(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

6. The existing point of diversion is located within SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 14, T. 34 N., R. 57 E.,
 M.D.B.&M., or at a point from which the northwest corner of said section
(If point of diversion is not changed, do not answer.)
 14 bears N. 26°03' W., a distance of 1453.80 feet.

7. Proposed place of use 24.95 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 26.50 acres in the
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T. 35 N., R. 57 E., M.D.B.&M. Total 51.45 acres

8. Existing place of use 8.80 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 23.80 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
 and 18.85 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T. 35 N., R. 57 E., M.D.B.&M.
 Total 51.45 acres.

9. Use will be from April 15 to August 15 of each year.
(Month) (Month)
 for direct diversion and annually for storage
10. Use has been from April 15 to August 15 of each year.
(Month) (Month)
 For direct diversion and annually for storage

11. Description of proposed works.

Proposed works consist of headgate in ditch and regulatory device in channel of Rabbit Creek and reservoir. Portions of the following subdivisions

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

are inundated by the Reservoir NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 14, and small portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 11, all in T. 34 N., R. 57 E M.D.B.&M.

12. Estimated cost of works \$100.00

13. Estimated time required to construct works One year

14. Remarks

Compared hs/lb hs/ns

Applicant Daniel and Carolyn Kennedy

By s/ W. H. Settelmeyer

W. H. Settelmeyer, agent

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the place of use of a portion of the waters of Rabbit Creek as heretofore granted under Permit 1771, Certificate 2255, is issued subject to the terms and conditions imposed in said Permit 1771, Certificate 2255 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and weir must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1471 cubic feet per second from April 15 to August 15 of each year and 147.33 acre-feet storage per annum.

Actual construction work shall begin on or before September 30, 1964

Proof of commencement of work shall be filed before October 30, 1964

Work must be prosecuted with reasonable diligence and be completed on or before September 30, 1965

Proof of completion of work shall be filed before October 30, 1965

Application of water to beneficial use shall be made on or before September 30, 1966

Proof of the application of water to beneficial use shall be filed on or before October 30, 1966

Map in support of proof of beneficial use shall be filed on or before October 30, 1966

Commencement of work filed Oct. 16, 1964

Completion of work filed Oct. 18, 1966

Proof of beneficial use filed Oct. 18, 1966

Cultural map filed Oct. 10, 1966

Certificate No. 6502 Issued 1-26-68

Recorded 2-7-68 Bk. 93 Page 149

2407 EIKO C.

WITNESS MY HAND AND SEAL this 30th day of March, 1964

ELMO J. DeRICCO

State Engineer

By [Signature] Assistant State Engineer